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Office of the County Attorney
County of York
224 Ballard Street
Yorktown, Virginia 23690

THIS INSTRUMENT VACATING AN EASEMENT is made this 7th day of January, 2000, by and between **CECIL W. BAKER, JR.** and **BETTY G. BAKER**, husband and wife, hereinafter referred to as "Landowner," and **COUNTY OF YORK, VIRGINIA**, hereinafter referred to as the "County."

WITNESSETH:

WHEREAS, by plat entitled "SUBDIVISION PLAT, HARWOOD HEIGHTS," dated December 1, 1964, made by S. J. Glass and Associates, and recorded in the Clerk's Office of the Circuit Court for the County of York, Virginia, in Plat Book 7, page 155, the County was conveyed a 10' drainage and utility easement on Lot 38, Harwood Heights; and

WHEREAS, Lot 38, Harwood Heights, was conveyed to the Landowner by deed dated May 13, 1997, recorded in Deed Book 94, page 516; and

WHEREAS, Landowner has filed an application with the County pursuant to the provisions of § 15.2-2272, Code of Virginia, to vacate a portion of said 10' drainage and utility easement;

WHEREAS, following a duly advertised public hearing, by Resolution No. R00-2, adopted on January 19, 2000, the York County Board of Supervisors authorized the County Administrator to execute an instrument vacating a portion of the subject easement.

NOW, THEREFORE, pursuant to the provisions of § 15.2-2272 (1), Code of Virginia, the parties hereto agree that the southerly five feet (5') of a portion of the subject easement as shown on the attached plat to be recorded simultaneously herewith, and entitled "PLAT OF THE PROPERTY OF CECIL W. BAKER, JR. & BETTY G. BAKER, LOT 38, HARWOOD HEIGHTS, COUNTY OF YORK," dated April 22, 1997, and made by Walters Land Surveying, Ltd., is hereby **VACATED**.

This instrument covers all the agreements between the parties and no representations or statements, verbal or written, have been made which are inconsistent with the terms of this instrument.

WITNESS the following signatures and seals:

_____(SEAL)
CECIL W. BAKER, JR.

_____(SEAL)
BETTY G. BAKER

Approved as to form:

County Attorney

COUNTY OF YORK, VIRGINIA

_____(SEAL)
County Adminsitrator

COMMONWEALTH OF VIRGINIA

County of York, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2000, by Cecil W. Baker, Jr.

Notary Public

My commission expires: _____

COMMONWEALTH OF VIRGINIA

County of York, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2000, by Betty G. Baker.

Notary Public

My commission expires: _____

COMMONWEALTH OF VIRGINIA

County of York, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2000, by Daniel M. Stuck, County Administrator.

Notary Public

My commission expires: _____